



021804

10281 U.S. PTO

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)
 Attorney Docket: 056203.48603C2

22858 U.S. PTO
 10/779796



021804

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 10/157,983
 Filed on May 31, 2002
 Inventor(s) Takuya SHIRAISHI et al.
 Title Cylinder Injection Type Internal Combustion Engine, Control
 Method For Internal Combustion Engine, and Fuel Injection Valve
 Examiner: E. Solis
 Group: 3747

X 1. Accompanying this order is a new specification and drawings, that does not contain any subject matter that would have been new matter in the prior application.

Total pages of specification, claims and abstract: 57

X 2. New Formal drawings are being filed herewith consisting of 39 sheet(s), depicting Figures 1-47.

X 3. Declaration and Power of Attorney:

a. Newly executed (original or copy)

b. X Copy from prior application

i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application

X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

5. Small entity status:
- a. ☐ A small entity statement is enclosed
- b. ☐ A statement of small entity status (copy attached) was filed on ☐ in the prior application and status as a small entity is still proper and desired.
- c. ☐ Is no longer claimed
- X 6. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee					\$385	\$770
Total Claims	<u>2</u>	-	20 = <u>0</u>	x	18 = \$ <u>0</u>	18 = \$ <u>0.00</u>
Ind. Claims	<u>1</u>	-	3 = <u>0</u>	x	84 = \$ <u>0</u>	86 = \$ <u>0.00</u>
	<u>Multiple Dependent Claims</u>			+	280 = \$	290 = \$
	Total				\$	\$ 770.00

7. Please charge my Deposit Account No. 05-1323 (Docket #) in the amount of \$.
- X 8. A check in the amount of \$ 770.00 to cover the filing fee is enclosed.
- X 9. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket # 056203.48603C2).
- X 10. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 10/157,983, filed May 31, 2002 which is a continuation of Serial No. 09/837,422, filed April 19, 2001, which is a divisional of application Serial No. 09/486,055, filed February 22, 2000, which is a 371 of PCT/JP99/03300, filed June 22, 1999.--
- X 11. Priority of Appln. No(s). 10-174336, filed in Japan on June 22, 1998, is hereby claimed under 35 U.S.C. 119.
- X 12. A certified copy of each said priority document was filed in application Serial No. PCT/UP99/03300 on June 22, 1999.

X 13. The prior application is assigned of record to Hitachi, Ltd.

X 14. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

X a. The power appears in the original application papers in the prior application.

— b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.

— c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.

X d. Address all future correspondence to:

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300

Customer No.

23911

X 15. Copies of Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.

X 16. Return Receipt Postcard.

X 17. Preliminary Amendment.

Respectfully submitted,

February 18, 2004

Vincent J. McKeown
For James F. McKeown
Registration No. 25,406

CROWELL & MORING, LLP
P.O. Box 14300
Washington, D.C. 20044-4300
Tel: (202) 624-2500
Fax: (202) 628-8844

JFM/lvb

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13281 U.S. PTO
021804

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 770.00

Complete if Known

Application Number TBA
Filing Date February 18, 2004
First Named Inventor TAKUYA SHIRAISHI
Examiner Name E. Solis
Art Unit 3747
Attorney Docket No. 056203.48603C2

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 05-1323
Deposit Account Name Crowell & Moring LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Charge any deficiency or credit any overpayments to the deposit account of the undersigned. Attorney Docket No. 056203.48603C2

☐ Charge any additional fee(s) during the pendency of this application.

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee	Code	Fee Description	Fee Paid
1001	2001	770	385	Utility filing fee	770
1002	2002	340	170	Design filing fee	
1003	2003	530	265	Plant filing fee	
1004	2004	770	385	Reissue filing fee	
1005	2005	160	80	Provisional filing fee	
SUBTOTAL (1)					770

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
2	-20** = 0	x 18	= 0.00
Indep. Claims	1	-3** = 0	x 84 = 0.00
Multiple Dependent			=

Large Entity	Small Entity	Fee	Code	Fee Description
1202	2202	18	9	Claims in excess of 20
1201	2201	86	43	Independent claims in excess of 3
1203	2203	290	145	Multiple dependent claim, if not paid
1204	2204	86	43	** Reissue independent claims over original patent
1205	2205	18	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) \$ 0.00				

**or number previously paid, if greater; For Reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	2051	130	65	Surcharge - late filing fee or oath	
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet	
1053	2053	130	130	Non-English specification	
1812	2520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examination action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	2251	110	55	Extension for reply within first month	
1252	2252	420	210	Extension for reply within second month	
1253	2253	950	475	Extension for reply within third month	
1254	2254	1,480	740	Extension for reply within fourth month	
1255	2255	2,010	1,005	Extension for reply within fifth month	
1401	2401	330	165	Notice of Appeal	
1402	2402	330	165	Filing a brief in support of an appeal	
1403	2403	290	145	Request for oral hearing	
1451	2451	1,510	1,510	Petition to institute a public use proceeding	
1452	2452	110	55	Petition to revive - unavoidable	
1453	2453	1,330	665	Petition to revive - unintentional	
1501	2501	1,330	665	Utility issue fee (or reissue)	
1502	2502	480	240	Design issue fee	
1503	2503	640	320	Plant issue fee	
1406	2406	130	130	Petitions to the Commissioner	
1807	2807	50	50	Processing fee under 37 CFR 1.17(q)	
1806	2806	180	180	Submission of Information Disclosure Stmt	
8021	8021	40	40	Recording each patent assignment per property (times number of properties)	
1809	2809	770	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	2810	770	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	2801	770	385	Request for Continued Examination (RCE)	
1802	2802	900	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) James F. McKeown Registration No. 25,406 Telephone 202-624-2500
Signature [Signature] Date 02/18/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.